

24727



Department of Energy

Washington, DC 20585

January 29, 2002

Dr. Arjun Makhijani
Institute for Energy and Environmental Research
6935 Laurel Avenue, Suite 204
Takoma Park, MD 20912

**SUBJECT: POISON IN THE VADOSE ZONE: AN EXAMINATION OF THE THREATS TO
THE SNAKE RIVER PLAIN AQUIFER FROM THE IDAHO NATIONAL
ENGINEERING AND ENVIRONMENTAL LABORATORY**

Dear Dr. Makhijani:

Thank you for providing the Institute for Energy and Environmental Research (IEER) report titled, "Poison in the Vadose Zone: An examination of the threats to the Snake River Plain aquifer from the Idaho National Engineering and Environmental Laboratory," to the Department of Energy (DOE). As promised in my statement of October 22, 2001, DOE has reviewed the report and is now providing more thoughtful comments than could have been provided immediately after the report's release.

Enclosed with this letter is a summary of our position on each of the conclusions listed in the Executive Summary of the report. In addition, DOE asked the U.S. Geological Survey to provide an independent review of the report's technical conclusions. Within the federal government, the U.S. Geological Survey has overarching responsibility for understanding geology and hydrology. They have provided independent monitoring of operations at the INEEL since its inception as the National Reactor Test Station. Their remarks are provided with this letter.

While the DOE does not agree with your analysis of our management/policy issues, we appreciate your concerns. I have commissioned a review of all aspects of the DOE "cleanup" program. That review is working from top to bottom to understand which policies/practices are providing timely, efficient progress toward complex-wide risk management, and which policies need to be changed.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessie Hill Roberson".

Jessie Hill Roberson
Assistant Secretary for
Environmental Management

Enclosures



Printed with soy ink on recycled paper

MEMORANDUM FOR THE ASSISTANT SECRETARY

FROM: Mark W. Frei, Acting Manager, Idaho Operations Office

SUBJECT: ACTION: Respond to an Institute for Energy and Environmental Research (IEER) report, Poison in the Vadose Zone, (October 2001) authored by Dr. Arjun Makhijani and Michele Boyd. Dr. Makhijani will be presenting his views of the risk posed by the buried waste at the Idaho National Engineering and Environmental Laboratory (INEEL) to the INEEL Citizens' Advisory Board in mid-January.

ISSUE: The report manipulates existing data to discredit the environmental management program at the INEEL. It promotes retrieval of the buried waste, early removal of the liquid in the high-level waste tanks, and immediate remediation of the vadose zone.

BACKGROUND: IEER, the Snake River Alliance and Clean Water Action provided the report to DOE and the public at a National Press Club event on October 9, 2001. Reporters' questions at that event focused on the path forward for the Idaho buried waste and the status of the Pit 9 project. You provided a statement on the report shortly after it was issued indicating that DOE would review the report. DOE-ID has reviewed the report and asked the USGS to provide an independent review.

IEER has used information published by DOE and the USGS to support its position that urgent action is required to protect the Snake River Plain Aquifer from chemical and radioactive materials buried in the vadose zone. Its position is summarized in the report's Executive Summary. DOE-ID has provided positive statements in response to each statement in the Executive Summary rather than debating each and every misused data point in the report. The USGS has provided an independent technical review that is appended, unedited, to DOE's response.

DISCUSSION: IEER has stated their intention to write at least two more similar reports – one on the contamination at Hanford and one on the contamination at the Savannah River Plant. The manner of response to the INEEL report will set the tone for further discussions with IEER and with the public that is influenced by the report. DOE-ID believes that the response should be firm but not argumentative. The data quoted by IEER was primarily developed by DOE. We should not be overly defensive about past actions, but the present and future DOE course should be risk based.

DOE-ID proposes to include the USGS review material as an attachment to the DOE review. The USGS statements may have more positive impact on public opinion since they do not own the problem.

SENSITIVITIES:

This action should be coordinated with the Office of Public Affairs.

RECOMMENDATION:

Sign the attached letter to Dr. Makhijani.

cc w/att:

K. Klein, DOE-RL

G. Rudy, DOE-SR